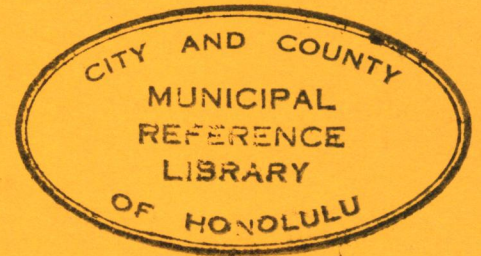
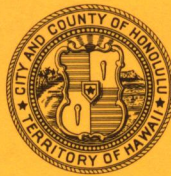


1956

# ANNUAL REPORT



OFFICE OF THE  
**PUBLIC PROSECUTOR**

CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII

KFX1512.89  
A3  
1956  
Copy2

January 14, 1957

Honorable Neal S. Blaisdell  
Mayor, City and County of Honolulu  
Honolulu, Hawaii

Dear Mayor Blaisdell:

I submit the following report covering activities of this office for the year 1956:

	<u>Honolulu District Court</u>	<u>Rural District Courts</u>	<u>Circuit Court</u>
No. of cases pending 1/1/56	357	921	380
No. of cases filed in 1956	<u>104,357</u> 104,714	<u>16986</u> 17,907	<u>969</u> 1,349
No. of cases completed during 1956	<u>104,375</u>	<u>16,962</u>	<u>967</u>
No. of cases pending 1/1/57	339	945	382

The trial of Silvestre Adoca, charged with Murder in the First Degree, was had in April, 1956. After three weeks of trial, the jury returned a verdict of "Guilty as Charged", and the defendant Adoca was sentenced to suffer the death penalty by hanging. The defendant appealed the case to the Supreme Court of the Territory of Hawaii on a Writ of Error. The unique question raised on appeal is the sufficiency of the Territorial law on capital punishment in view of the fact that the 1955 Territorial Legislature inadvertently abolished the legal machinery relating to the carrying out of the death sentence as it existed theretofore.

During the year this office processed three extraditions which resulted in the returning to this jurisdiction of three fugitives from justice who were detained by mainland police officers. The charge against two of the defendants was Larceny in the First Degree and the third defendant was charged with Forgery and Passing a Forged Writing.

Honorable Neal S. Blaisdell

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1/14/57

During 1956 we prepared and presented 283 cases to the Territorial Grand Jury for its consideration; 259 True Bills and 24 No Bills were returned.

One case was argued before the Supreme Court of the Territory of Hawaii, in which case the judgment of the lower court was affirmed, and five new cases were filed. There are no criminal cases pending on the calendar of the Ninth Circuit Court of Appeals in San Francisco.

We wish to express our appreciation for the continued cooperation given to this office by all law enforcement agencies, including the Honolulu Police Department, the Hawaiian Armed Services Police, the judges and their staffs, the Sheriff's Office, the Board of Pardon and Pardons and other official and lay community agencies.

Respectfully submitted,

John H. Peters,  
PUBLIC PROSECUTOR

JHP:m



OFFICE OF THE PUBLIC PROSECUTOR

ANNUAL FINANCIAL REPORT  
Jan. 1, 1956 to Dec. 31, 1956

<u>ACCOUNT NO.</u>	<u>OBJECT OF EXPENDITURE</u>	<u>APPROPRIATED</u>	<u>EXPENDED</u>	<u>BALANCE</u>
G-1221	SALARIES AND WAGES	\$145,780.26	\$145,676.35	\$103.91
G-1222	OTHER PERSONAL SERVICES	999.02	942.45	56.57
G-1222	CONTRACTUAL SERVICES	5,300.00	5,241.98	58.02
G-1222	MATERIALS AND SUPPLIES	1,200.00	1,192.19	7.81
G-1222	FIXED CHARGES	78.98	78.98	---
G-1223	EQUIPMENT	<u>420.00</u>	<u>410.17</u>	<u>9.83</u>
TOTALS.....		\$153,778.26	\$153,542.12	\$236.14

SUMMARY OF CASES HANDLED IN THE  
SUPREME COURT OF THE TERRITORY  
OF HAWAII DURING THE YEAR 1956

Cases pending 1/ 1/56 .....	2	
New cases filed during 1956 .....	<u>5</u>	7
Case disposed of during 1956 (Judgment Affirmed) .....		<u>1</u>
Cases pending 12/31/56 .....		6

FELONY CASES REFERRED BY HONOLULU POLICE  
DEPARTMENT TO PUBLIC PROSECUTOR'S OFFICE  
FOR INVESTIGATION AND DISPOSITION DURING  
THE YEAR 1956

Cases pending 1/ 1/56 .....	51	
New cases referred during 1956 .....	<u>437</u>	488
Cases disposed of during 1956:		
Cases referred to the Grand Jury .....	283	
Miscellaneous cases reviewed on which no Grand Jury action was taken .....	<u>173</u>	<u>456</u>
Felony cases pending December 31, 1956 .....		32

**INVESTIGATIONS COVERING OTHER STATUTORY  
VIOLATIONS - CITY AND COUNTY ORDINANCES,  
AND RULES AND REGULATIONS OF COUNTY AND  
TERRITORIAL AGENCIES DURING 1956**

	<u>Cases Investigated</u>	<u>Cases Cleared</u>	<u>Cases Pending</u>	<u>Cases Unfounded</u>
Zoning and subdivision.....	190	136	24	30
Building, Electric and plumbing .....	25	17	3	5
Public Works .....	7	7	0	0
Fire .....	2	2	0	0
Territorial .....	4	2	0	2
Nuisances .....	7	6	0	1
Miscellaneous .....	8	4	0	4
<b>TOTAL.....</b>	<b>243</b>	<b>174</b>	<b>27</b>	<b>42</b>

The Library of Hawaii and University of Hawaii Library submitted requests for aid in clearing their delinquent lists of book borrowers. Telephone calls were made and letters written, as a result of which 105 books were returned to the libraries or paid for.

**PROBATION AND MISCELLANEOUS CASES**

During the year 1956 eighty-nine motions pertaining to probation cases were presented to the court and the following dispositions were made:

**PROBATION:**

Motions for revocation of probation presented and granted .....	41	
Motions for revocation of probation presented and denied .....	2	
Motions for revocation of probation presented and dismissed .....	5	
Motions for termination of probation presented and granted .....	18	
Motions for revocation of probation presented, where probation was not revoked, but additional conditions added .....	21	
Motions for revocation of probation presented, where probation was not revoked, but additional term of probation added .....	2	89

**MISCELLANEOUS:**

Motions to amend sentence filed and granted .....	2	
Motion to set aside suspended sentence and impose sentence presented and dismissed .....	1	
Motion to set aside suspended sentence and impose sentence presented and granted .....	1	
Petition for Writ of Habeas Corpus filed and denied .....	1	
Petition for Writ of Habeas Corpus filed and Questions of Law Reserved to the Supreme Court .....	1	
Motion requesting court to recommend to U.S. Attorney General that defendant not be made subject to deportation on grounds of con- viction in felony case presented=no action (motion premature) .....	1	7

Total ..... 96

**CRIMINAL REPORT**

**DISPOSITION OF CASES IN THE FIRST CIRCUIT COURT**  
**DURING THE YEAR 1966**

<u>OFFENSE</u>	Cases Disposed	No. of Defts.	CONVICTED		ACQUITTED		Nolle Prossed	No Bill	Dismissed	Mit. Granted	Mit. Denied	Other Disp.	Cases Pending
			Jury Pleas	Jury Waived	Jury Pleas	Jury Waived							
Affray .....	3	3	3										0
Arson 2 <sup>o</sup> .....	2	2					2						0
Assault and battery .....	65	66	19	5	7	3	2	25	2	1	2		29
Assault and battery, Intermediate .....	7	11	8		1			1			1		3
Assault with a weapon .....	1	1						1					0
Assault and battery with a weapon .....	22	22	8	1	1			2	5	3		2a	1
Assault and battery by means likely to humiliate and degrade .....	1	1									1		1
Assault and battery on a police officer .....	2	2	2										2
Assault and battery with intent to commit murder	2	2										2b	1
Assault, indecent .....	17	17	7					8		2			1
Assignation .....	4	4	1					3					2
Bribery .....	5	5	1						4				2
Burglary 1 <sup>o</sup> .....	64	78	64					7	3	4			6
Burglary 1 <sup>o</sup> , attempted .....	2	2	2										0
Burglary 2 <sup>o</sup> .....	14	16	10		1			3		2			3
Carnal abuse of a female under 12 .....	17	17		1				7				9c	0
Cockfight, Present at .....	2	7	6					1					3
Common nuisance .....	4	4	1					2		1			1
Contributing to the delinquency of a minor ....	9	9	7					2					1
Disorderly conduct .....	7	7	2			1		2		2			3
Disorderly person .....	5	5	2			1		2					1
Drunk in a public place .....	4	4				1		2			1		0

OFFENSE	Cases Disposed	No. of Defts.	CONVICTED			ACQUITTED							Cases Pending	
			Pleas	Jury	Jury Waived	Jury	Jury Waived	Nolle Prossed	No Bill	Dismissed	Mit. Granted	Mit. Denied		Other disp.
Egg Law, violation of .....	1	1							1					0
Embezzlement 1 <sup>o</sup> .....	3	3	2	1										0
Embezzlement 2 <sup>o</sup> .....	0													1
Embezzlement of Public Property .....	4	6	6											1
Escape (felony) .....	4	4	2						1			1d		3
Escape (misdemeanor) .....	1	1						1						0
Failure to file plans and specifications...	0													1
Failure to obtain building permit .....	0													2
Failure to render assistance .....	3	3	2					1						1
Failure to report income while receiving welfare assistance .....	0													1
False report of a crime .....	1	1	1											1
Forgery .....	2	2	2											0
Forgery and passing .....	39	42	28					7	1	5		1e		10
Forged writing, passing a .....	2	2	1	1										0
Fraudulent drawing .....	11	11	3					6			1	1		1
Gambling .....	9	23	5		3	1		14						3
Gambling, being present at .....	10	19	1		1			17						3
Gambling and Lottery .....	0													6
Gambling, participating .....	4	5	2	2	1									1
Gambling, permitting .....	0													2
Gambling, presence in a barricaded place...	4	38	1					37						1
Gambling instruments, exhibition of in a barricaded place .....	1	1						1						0
Going offensively armed .....	3	3	2							1				3
Gross cheat (felony) .....	5	6	2					3		1				0
Gross cheat and conspiracy 1 <sup>o</sup> .....	1	3	2					1						0

<u>OFFENSE</u>	Cases Disposed	No. of Dets.	<u>CONVICTED</u>		<u>ACQUITTED</u>		Nolle Prossed	No BILL	Dismissed	Mit. Granted	Mit. Denied	Other Disp.	Cases Pending
			Pleas	Jury Waived	Jury Waived	Jury							
Impersonating a police officer .....	0												2
Incest .....	4	4		1		1	2						0
Interfering with the duties of a police officer..	1	1				1							0
Larceny 1 <sup>o</sup> .....	16	22	11	1		1	2		4			3f	1
Larceny 1 <sup>o</sup> and Embezzlement .....	0												1
Larceny 2 <sup>o</sup> .....	26	26	4	2			6			13	1		4
Larceny by false pretenses .....	3	3	1						2				2
Lewd and lascivious conduct .....	4	4	1				3						3
Lewd and lascivious pictures, exhibition of .....	0												1
Lottery .....	4	4	1				3						20
Lottery and gambling .....	0												2
Malicious conversion .....	35	40	26				3	8	3				1
Malicious conversion, attempted .....	1	1	1										0
Malicious injury .....	8	14	2				10			2			1
Manslaughter .....	6	8	1				1					6g	3
Murder 1 <sup>o</sup> .....	6	6		1			2h					3i	2
Murder 2 <sup>o</sup> .....	4	4					3j		1				2
Negligent homicide .....	9	9	5	1			1	2					4
Non-support .....	1	1		1									1
No permit to carry a gun .....	1	1								1			0
Permitting minors to play pinball machines .....	1	1		1									0
Polygamy .....	0												1
Possession of gaff .....	1	1					1						0
Possession of heroin .....	1	1					1						0
Possession of marijuana .....	1	1					1						1
Possession of oysters .....	1	1					1						0



[illegible]

OFFENSE	Cases Disposed	No. of Defts.	CONVICTED		ACQUITTED		Nolle Prossed	No Bill	Dismissed	Mit. Granted	Mit. Denied	Other Disp.	Cases Pending
			Pleas	Jury	Jury Waived	Jury							
TRAFFIC VIOLATIONS													
Abandoned vehicle .....	2	2					2						0
Blocking intersection .....	1	1	1										1
Boulevard stop .....	18	18	11				1			4	2		2
Careless and heedless driving .....	63	63	28		2	1	12		1	10	4	5a	39
Crossing double line .....	0												1
Cruising .....	0												2
Defective brakes .....	1	1					1						0
Depositing glass on highway .....	1	1			1								0
Disregarding directional arrows .....	1	1								1			1
Disregarding official road markings .....	3	3	2							1			2
Disregarding one-way sign .....	2	2	1							1			0
Disregarding police officer's signal.....	2	2	1							1			0
Disregarding traffic control device .....	27	27	14		1		2			7	3		3
Disregarding traffic signal .....	0												1
Driving on left side of double line .....	2	2					1			1			0
Driving on left side of road .....	13	13	5				3			3	2		3
Driving on sidewalk .....	1	1					1						0
Driving while license revoked .....	13	13	7				2			4			2
Driving while license suspended .....	7	7					1			6			1
Driving while license ss for failure to file proof of financial responsibility..	15	15	3		1		2			7	3		7
Driving without front license plate .....	0												1
Driving without rear license plate .....	1	1	1										0
Driving without glasses .....	1	1	1										0
Driving without headlights .....	3	3	2							1			0
Driving motorcycle without headlights....	1	1					1						0
Driving without a motorcycle license.....	1	1	1										0
Driving without a license .....	25	25	16				3		1	2	3		3
Drunk driving .....	48	48	6	1			5			3		33a	39
Duty upon striking fixtures on highway...	2	2	1				1						0

<u>O F F E N S E</u>	Cases Disposed	No. of Defts.	<u>CONVICTED</u>			<u>ACQUITTED</u>					Cases Pending	
			Pleas	Jury	Jury Waived	Jury	Jury Waived	Nolle Prossed	Dismissed	Mit. Granted		Mit. Denied
Failure to display registration etc. ....	1	1	1									0
Failure to exercise due care .....	1	1				1						1
Failure to give information .....	2	2						2				0
Failure to notify owner of unattended vehicle of accident .....	1	1						1				1
Failure to report accident .....	9	9	2					6		1		5
Failure to stop at medial strip stop sign..	3	3	1						1	1		1
Failure to stop at scene of accident .....	15	15	6					8		1		8
Following too closely .....	10	10	5		3			2				2
Fraudulent use of number plate .....	1	1	1									2
Improper left turn .....	2	2	1							1		1
Improper right turn .....	4	4	3					1				0
Improper U-turn .....	1	1	1									1
Inattention to driving .....	2	2						2				3
Jaywalking .....	1	1	1									1
Leaving key in ignition .....	1							1				0
Misuse of traffic lanes .....	0											1
Moving a house on highway w/o a permit.....	1	1						1				0
Noisy muffler .....	1	1	1									1
Obstructing traffic .....	1	1						1				0
Pedestrian's right of way .....	4	4	3					1				3
Permitting unlicensed person to drive .....	3	3	2								1	1
Prohibited passing .....	1	1						1				0
Right of way .....	13	13	5		1			6		1		12
Speeding .....	66	66	27				1	16	3	17	2	37

**Municipal Reference & Records Center**

MUNICIPAL REFERENCE LIBRARY

CITY AND COUNTY OF HONOLULU

<u>O F F E N S E</u>	Cases disposed	No. of Defts.	<u>CONVICTED</u>			<u>ACQUITTED</u>			Nolle Prossed	No Bill	Dismissed	Mit. Granted	Mit. Denied	Other Disp.	Cases pending
			Pleas	Jury	Jury Waived	Jury	Jury Waived								
Spilling load on highway .....	0														1
Unlawful use of license .....	2	2	1									1			0
Unsafe backing .....	4	4	1					1				2			2
Unsafe changing of lanes .....	8	8	4				1	3							1
Unsafe emerging from parked position.....	3	3						2				1			0
Unsafe emerging from private driveway.....	1	1	1												0
Unsafe movement .....	4	4	1		1			2							3
Unsafe overtaking .....	1	1						1							0
Unsafe passing .....	1	1	1												0
TOTALS - 1956:		1034	1154	473	16	38	5	12	327	29	51	103	31	69	382

Other Dispositions:

2a Assault and battery with a weapon.. 2 cases, 2 defts. - plead guilty to Intermediate ASSAULT AND BATTERY

2b Assault and battery with intent  
to commit murder..... 2 cases, 1 deft. - plead guilty to ASSAULT

9c Carnal abuse of a female under 12.. 7 cases, 7 defts. - plead guilty to INDECENT ASSAULT  
1 case, 1 deft. - plead guilty to SEXUAL INTERCOURSE WITH A FEMALE  
under 16  
1 case, 1 deft. - plead guilty to ASSAULT AND BATTERY

1d Escape ..... Defendant indicted for felony Escape;  
convicted on jury waived trial of MISDEMEANOR ESCAPE

1e Forgery and Passing a Forged Writing 1 case, 1 deft. - convicted on jury trial of FORGERY  
acquitted on jury trial of PASSING A FORGED WRITING

Other dispositions (continued):

3f Larceny in the First Degree .....	1 case,	2 defts. - plead guilty to LARCENY 2°
	1 case,	1 deft. - plead guilty to LARCENY 2°
6g Manslaughter .....	1 case,	1 deft. - convicted on jury waived trial of ASSAULT AND BATTERY
	1 case,	1 deft. - plead nolo contendere to NEGLIGENCE HOMICIDE
	1 case,	1 deft. - plead guilty to NEGLIGENCE HOMICIDE
	1 case,	3 defts. - 1 deft. convicted on jury trial of ASSAULT AND BATTERY; other 2 defendants changed pleas to guilty to ASSAULT AND BATTERY
2h Murder in the First Degree (Nolle Prosequis) .....	1 case,	1 deft. - Adjudged insane, committed to Terr. Hospital
	1 case,	1 deft. - Reindicted - separate indictment for each victim
3i Murder in the First Degree .....	2 cases,	1 deft. - Plead guilty to MURDER IN THE SECOND DEGREE
	1 case,	1 deft. - Plead guilty to MANSLAUGHTER
3j Murder in the Second Degree (Nolle Prosequis) .....	2 cases,	2 defts. - Committed to Territorial Hospital
	1 case,	1 deft. - defendant indicted for Murder 1° on same facts
2k Prostitution .....	1 case,	1 deft. - plead guilty to LEWDNESS
	1 case,	1 deft. - plead guilty to FORNICATION
1L Rape .....	1 case,	1 deft. - plead guilty to INTERMEDIATE ASSAULT AND BATTERY
1m Robbery in the First Degree .....	1 case,	1 deft. - convicted on jury trial of ROBBERY IN THE SECOND DEGREE
5n Careless and heedless driving .....	2 cases,	2 defts. - plead guilty to FAILURE TO DRIVE ON RIGHT HALF OF ROADWAY
	1 case,	1 deft. - plead guilty to IMPROPER RIGHT TURN
	1 case,	1 deft. - plead guilty to UNSAFE MOVEMENT
	1 case,	1 deft. - plead guilty to UNSAFE CHANGING OF Lanes
33o Drunk driving .....	33 cases,	33 defts. - plead guilty to CARELESS AND HEEDLESS DRIVING



KFX1512.89

A3 Honolulu. Office of the Prosecuting Attorney.  
1956 Annual report: Honolulu. Office of the  
copy 2 Prosecuting Attorney. Honolulu: 1951-59.

Annual. Prior to 1959 issued under earlier  
name, Office of the Public Prosecutor.

From 1968/69 continued in Departmental &  
agency reports of the city & county of Honolu-  
lu.

Library holdings: 1951 thru 1958 (2 c.  
each year); 1959 (3 c.).

1. Courts - Honolulu. 2. Public prosecutors -  
Honolulu. I. Honolulu. Office of the Public  
Prosecutor.



